THE HON'BLE SRI JUSTICE D.S.R.VARMA

Writ Petition No.24060 of 1995

Dated: 08th August, 2006

Between:

1. Capt. K.R.Rao, S/o.K.P.Rao, aged 49 years,
   Officer, Dredging Corporation of India at
   Visakhapatnam
   And ten others

... Petitioners

and

1. Union of India, rep. by its Secretary for
   Ministry of Surface Transport, New Delhi
   and two others

... Respondents

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Writ Petition No.24060 of 1995

Oral Order:

Heard.

2. In this writ petition, proceedings No.11-NT(10)/81 Vol.III, dated 02-3-1993, issued by the second respondent-Director General of Shipping, Bombay, are under challenge.

3. It is reported that petitioner Nos.1 and 9 have attained the age of superannuation by this time since, as on the date of filing of the writ petition, they were 49 and 51 years old, respectively. It is further reported that petitioner Nos.2 to 8 have resigned from their respective posts and they are no longer employees of the respondents and hence, no orders will be passed in favour of the petitioners.

4. The petitioners that remain on record in the writ petition are petitioner Nos.10 and 11. Now, in this regard, the whole problem appears to be that through the impugned proceedings, dated 02-3-1993, the second respondent-Director General of Shipping, Bombay, made certain relaxations to Section 76 of the Merchant Shipping Act, 1958, insofar as certain posts are concerned. It is made clear therein that those instructions shall be valid only for a period of one year from the date of issue of the impugned proceedings. That year had also elapsed.

5. In view of the said fact, nothing remains for adjudication in the writ petition.

6. Hence, the Writ Petition is dismissed as having become infructuous. No costs. It is needless to state that the interim applications pending, if any, shall stand closed.

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D.S.R.VARMA, J

08th August, 2006.

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